

NATIONAL TRANSPORTATION SAFETY BOARD

In the Matter of: *
*
*
CAPSIZING OF THE * DCA 04 MM 015
LADY D *
*

Tuesday,
October 26, 2004

INTERVIEW OF:

RON MORGAN

PRESENT: MORGAN TURRELL
MARIETTE BURER
SCOTT BARANOWSKI
ED NARIZZANO
KEVIN JOHNSTONE
ANDY MURRAY
MARK HYLIND

P R O C E E D I N G S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. TURRELL: Okay. This is Morgan Turrell, National Transportation Safety Board. We are at the Naval Reserve Center on October 26, at 1:30. We are interviewing Mr. Ron Morgan in the Lady D accident, which happened on March 6, 2004.

To my left?

MS. BURER: Mariette Burer, NTSB, B-U-R-E-R.

MR. TURRELL: And behind me?

MR. JOHNSTONE: Kevin Johnstone, J-O-H-N-S-T-O-N-E, NOAA National Weather Service.

MR. NARIZZANO: Ed Narizzano, Director of Seaport Taxi.

MR. MURRAY: Andy Murray, Director of National Historic Seaport, Baltimore.

MR. HYLIND: Mark Hyland, Susquehanna Santee Boat Works, Inc.

LIEUTENANT BARANOWSKI: Lieutenant Scott Baranowski, B as in Bravo, A-R-A-N-O-W-S-K-I. Coast Guard Activities, Baltimore.

MR. TURRELL: Okay. And we are interviewing, go ahead and introduce yourself and spell your name?

MR. MORGAN: Ron Morgan, M-O-R-G-A-N.

MR. TURRELL: Ron, how old are you?

1 MR. MORGAN: Fifty four.

2 MR. TURRELL: Okay. And what is your date of
3 birth?

4 MR. MORGAN: Two, seven, '50.

5 MR. TURRELL: And where do you currently work?

6 MR. MORGAN: I am unemployed.

7 MR. TURRELL: Okay. What is your primary,
8 prior source of employment?

9 MR. MORGAN: Revenue from the sale of the
10 company.

11 MR. TURRELL: Okay. And can you tell us about
12 your education, and general background?

13 MR. MORGAN: High school, two years of
14 college, Annapolis Maritime Academy, 20 years
15 experience running pontoon boats.

16 MR. TURRELL: Okay. And can you tell us in
17 detail 20 years of running of pontoon boats, in what
18 capacities and just your --

19 MR. MORGAN: Captain and --

20 MR. TURRELL: Okay. And do you have a U.S.
21 Coast Guard license?

22 MR. MORGAN: Yes, I do.

23 MR. TURRELL: And at what rating?

24 MR. MORGAN: Fifty ton, I believe.

25 MR. TURRELL: Okay. And which boats did you

1 operate?

2 MR. MORGAN: Well, I operated the Lady D for
3 one.

4 MR. TURRELL: Lady D. Okay.

5 MR. MORGAN: I operated every one of Seaport
6 Taxi's fleet.

7 MR. TURRELL: Okay. And are you the owner,
8 operator of that fleet or --

9 MR. MORGAN: Prior to this, prior to the sale.

10 MR. TURRELL: Okay. And can you tell me when
11 did you first start, when did you get your Coast Guard
12 license?

13 MR. MORGAN: Twenty years, 20 some years ago.

14 MR. TURRELL: Okay. So early '80s?

15 MR. MORGAN: Early '80s.

16 MR. TURRELL: Okay.

17 MR. MORGAN: Just before -- late 70s, early
18 '80s.

19 MR. TURRELL: Okay. And --

20 MR. MORGAN: I started running pontoon boats
21 in Ocean City.

22 MR. TURRELL: Okay.

23 MR. MORGAN: I would run them up and down the
24 Ocean with signs on them. That kind of boat, they
25 were made by Landcraft and they were 17, there were 17.

1 I learned a lot about stress running a small pontoon
2 boat out in the Ocean.

3 MR. TURRELL: Okay. So, in your 20 years of
4 operating a pontoon boat, is that the only type of boat
5 you operated or --

6 MR. MORGAN: I operated others, but, basically
7 that was the main one.

8 MR. TURRELL: Okay. So the smallest boat,
9 pontoon boat you operated was roughly 17 feet.

10 MR. MORGAN: Seventeen feet.

11 MR. TURRELL: And what is the largest you
12 operated?

13 MR. MORGAN: Almost 60.

14 MR. TURRELL: Okay. Can you tell me about the
15 Lady D, your experience with her? Describe the boat in
16 your own words.

17 MR. MORGAN: The Lady D is a 23 passenger,
18 captain and mate or 24 passenger, which just captain as
19 far as what she was allowed to carry. A small
20 passenger vessel. I believe she was 36 feet in length
21 and eight feet wide.

22 MR. TURRELL: Okay.

23 MR. MORGAN: She had a tendency to be bough
24 heavy. And she is hard, she was very hard to handle in
25 the wind.

1 MR. TURRELL: Okay. Can you elaborate on that,
2 hard to handle in the wind, what characteristics in
3 particular?

4 MR. MORGAN: She had a, I mean, pontoon boats
5 that we are talking, and especially the smaller ones, I
6 mean, they have round, the pontoons are round.

7 MR. TURRELL: Right.

8 MR. MORGAN: They don't have, going in, going
9 in.

10 MR. TURRELL: Right.

11 MR. MORGAN: So, when you get into a windy,
12 you know, windy conditions, the boat hasn't had, it is
13 hard to handle.

14 MR. TURRELL: Can you describe --

15 MR. MORGAN: It not unsafe to handle, you
16 know, it just means it hard to handle.

17 MR. TURRELL: Right, right. Can you describe
18 perhaps in more detail what particular condition that
19 causes it to be hard to handle, what particular sea and
20 wind conditions that you are talking about?

21 MR. MORGAN: Thirty mile an hour wind, 25, 30
22 mile an hour wind or 25 or 30 mile gusts.

23 MR. TURRELL: Okay. Is it the wind or is it
24 the sea condition, itself?

25 MR. MORGAN: It is the wind.

1 MR. TURRELL: Okay. Can you attribute that
2 hard to handle as a particular characteristics of the
3 boat besides the roundness of the pontoon, is there,
4 just the way the boat is constructed, the way bulkheads
5 are, or is there some other feature of the boats that
6 caused it to be hard to handle?

7 MR. MORGAN: Being around pontoons and not, I
8 mean, they are hardly in the water at all.

9 MR. TURRELL: Okay.

10 MR. MORGAN: So if you don't have any, you
11 know, add any weight on it, you are drawing a couple of
12 inches other than your engine, actually being down in
13 the water.

14 MR. TURRELL: So, the lack of displacement.

15 MR. MORGAN: Yes.

16 MR. TURRELL: Okay. When you operated the
17 boat, do you recall what size engine was on it?

18 MR. MORGAN: It varied in engines.

19 MR. TURRELL: Okay.

20 MR. MORGAN: But, I can tell you that we
21 always, the weight was always either the same or the
22 weight was always the same or less and the Coast Guard
23 was -- But, I believe the last, when, the last time I
24 saw it, I could be wrong here, but, I, we had a, yeah,
25 we had a 50 horse --

1 MR. TURRELL: Okay.

2 MR. MORGAN: Force strike, I am sorry, force
3 strike.

4 MR. TURRELL: And when did you first operate,
5 to your best recollection, when was the best estimate
6 in your knowledge when you first operated the Lady D?

7 MR. MORGAN: When she first came into --

8 MR. TURRELL: So, right from the construction.

9 To your knowledge were there any major
10 changes in the time that you operated the Lady D and
11 its construction or displacement or general
12 arrangement? Were there any significant changes made?

13 MR. MORGAN: You mean when I had the boat?

14 MR. TURRELL: Yes.

15 MR. MORGAN: No.

16 MR. TURRELL: Okay. When you operated the Lady
17 D, how many other boats were in operation at the time?

18 MR. MORGAN: We had anywhere between eight and
19 12 boats in the fleet. Boats came -- You would sell,
20 and you would get a replacement --

21 MR. TURRELL: Okay. Okay. Can you sit back and
22 just tell me the formation of this company that you
23 were operating, just the beginning and the middle and
24 the end?

25 MR. MORGAN: Probably started by passengers

1 from, you mean, here in the Harbor? I started in Ocean
2 City with doing advertising and then running fishing
3 cruises and taking scenic cruises to see the ponies.
4 When we came to Baltimore, we started running cruises
5 from one of the marinas, to the Harbor. When we
6 started servicing the outside like Tin Deckco(ph), the
7 Marina, the marina from the outside Tin Deckco and we
8 were taking people to work early in the morning.

9 MR. TURRELL: Okay. How many boats originally
10 started?

11 MR. MORGAN: Two.

12 MR. TURRELL: Two. And how large were they?

13 MR. MORGAN: Thirty two feet.

14 MR. TURRELL: Same size roughly.

15 MR. MORGAN: Yes. Well, they are smaller.

16 MR. TURRELL: Okay.

17 MR. MORGAN: It was the W.B, W.B. Morgan, and
18 the Sea Rank.

19 MR. TURRELL: And the Sea --

20 MR. MORGAN: Sea Rank.

21 MR. TURRELL: Sea Rank.

22 MR. MORGAN: Sea --

23 MR. TURRELL: And in the time that you owned
24 the Lady D, were there any accidents or mishaps or
25 problems due to weather?

1 MR. MORGAN: Not that I can recall. I mean,
2 there might have been, we have had minor, we had minor
3 injury, we have minor injuries like when people fall,
4 you know, like tripping as they were getting on and off
5 of the boat, but, nothing, nothing major.

6 MR. TURRELL: Okay.

7 MR. MORGAN: I have had that boat, I was
8 bringing that boat back from one of the marinas, pass
9 Bear Creek, and I got caught in a really nasty storm,
10 and I lived through it. And I also kept the bough,
11 into the into the wind, and also I cut my speed down.

12 MR. TURRELL: Okay. How did the boat ride with
13 the bough in the wind to the best of your knowledge,
14 your recollection?

15 MR. MORGAN: When you have nasty winds and so
16 forth, I mean, first of all, when the storms and
17 squalls come through, they don't last long.

18 MR. TURRELL: Right.

19 MR. MORGAN: So, basically you just keep it,
20 you know, you keep it into the wind, and you throttle
21 back. You don't want to throttle up because the -- on
22 this pontoons, they have, they have fins, I call it
23 stabilizing fins, other people call them different
24 things, but to me they are very important to the
25 vessel. What they do is just that they keep the boat,

1 in other words, when you are going through the seas,
2 you know, as you are coming down, they push the boat
3 back up.

4 MR. TURRELL: Right.

5 MR. MORGAN: All right. If they are missing,
6 they are damaged, or if you have too much weight on the
7 boat, or your throttle too much into a nasty sea, they
8 act just like a submarine would act. In other words,
9 a submarine, that is how a submarine goes down or up,
10 all right. Water goes over top of those fins and if
11 you throttle that boat with a lot of weight, you are
12 going to plow that boat under and water is going to
13 come over it.

14 Remember, Mr. Hyland, when we were coming
15 back with your boat, we were being towed, how the water
16 came flushing over because those fins went over.

17 MR. HYLAND: Yes, I do.

18 MR. TURRELL: Okay. So, in your experience
19 when that first occurs, when you are beginning to,
20 torpedo or submarine like you said --

21 MR. MORGAN: Throw it in reverse.

22 MR. TURRELL: Throw it in reverse.

23 MR. MORGAN: Throw it in reverse, I mean, just
24 like you are going in, you throw it in reverse, and you
25 come right back out again. Or you just, or you just cut

1 the throttle completely.

2 MR. TURRELL: Okay.

3 MR. MORGAN: I actually have, I have actually
4 in Ocean City, I was going through the inlet, and it
5 was just myself, there wasn't any passengers on it, I
6 was just, I was goofing off, and I had a wave hit me,
7 and actually put me down where the water actually came
8 under the boat up to my knees. Of course, once the
9 wave went by, you know, just popped right back up.

10 MR. TURRELL: Okay. In a squall situation like
11 you were in and you put Lady D into the wind, and kept
12 the throttle back, what, as the results activity of the
13 vessel, what occurs at that point? How does it, does it
14 move back on its own, drift with the wind, does it
15 point off?

16 MR. MORGAN: You have got, you have got your
17 throttle so that you are not, you might not be making
18 any headway, but you are keeping, you know, but you are
19 not going backwards, or sideways. All right. If you
20 wanted to turn the vessel and you wanted to head back
21 to shore, then you would throw it in, you, you know,
22 you would turn to your right or left, and then you
23 throw it in reverse, and when you let that, just a
24 little bit, that will just flip you right around.

25 MR. TURRELL: Okay. But, if you did keep the

1 throttle just --

2 MR. MORGAN: Yes -- Well, the boat wasn't a
3 perfect boat.

4 MR. TURRELL: Sure.

5 MR. MORGAN: But, I mean, but if you were a
6 good captain, and knew what you were doing, you are not
7 going to flip that boat.

8 MR. TURRELL: Okay. But, it was able to hold
9 the wind?

10 MR. MORGAN: Yes, straight along, she would
11 hold the wind.

12 MR. TURRELL: Is that similar to the other
13 vessels characteristics?

14 MR. MORGAN: Actually, she would be, well,
15 that vessel is probably your worse.

16 MR. TURRELL: Okay.

17 MR. MORGAN: But, you are correct, all of the
18 vessels, I mean, that would be the proper procedure in
19 a high wind, or rough water.

20 MR. TURRELL: So, in the time you owned the
21 Lady D or operated it, there were no major
22 modifications, is that correct?

23 MR. MORGAN: Yes.

24 MR. TURRELL: Okay. Do you know, did you
25 purchase the vessel, yourself, or was purchased by the

1 company?

2 MR. MORGAN: I purchased the vessel myself.

3 MR. TURRELL: Okay. And you purchased it from?

4 MR. MORGAN: Susquehanna Santee Boat Works.

5 MR. TURRELL: Okay. At that time did they,
6 when you purchased the boat, where there records or
7 drawings, the packet they gave you?

8 MR. MORGAN: It was sister ship to the Raven.

9 MR. TURRELL: Okay.

10 MR. MORGAN: And, and, yes, they had a package
11 at that time for it. I am not sure if they had a
12 package at that time or later, that was one of their,
13 you know, it was one of their models.

14 MR. TURRELL: Okay. Did the boat builders at
15 that time either need to or go through with you any
16 limitations or stability issues with pontoon boats?

17 MR. MORGAN: No.

18 MR. TURRELL: In your experience, what are the
19 major stability issues or are there any stability
20 issues for pontoon boats?

21 MR. MORGAN: -- operate them in high wind.
22 That is pretty much for any vessel.

23 MR. TURRELL: Right. The original stability
24 test, do you recall that being done or was that done
25 before --

1 MR. MORGAN: It was sistered off, off of the
2 Raven.

3 MR. TURRELL: Okay. And --

4 MR. MORGAN: Since that time, I found out the
5 Raven was sistered off of Patricia Key, which was at
6 that time the Fells Point, Fells Point Princess,
7 completely two different vessels.

8 MR. TURRELL: Okay. Did you ever have a
9 stability test done on the boat when you owned it,
10 yourself?

11 MR. MORGAN: Not that I can recall.

12 MR. TURRELL: When you operated the Lady D in
13 the Harbor here, which, where about would you typically
14 operate it?

15 MR. MORGAN: Either use it for a relay between
16 Bay Cafe and Fells Point, or I would use her inside,
17 inside the Harbor, as a relay boat.

18 MR. TURRELL: Do you ever go the Fort with it,
19 Fort McHenry?

20 MR. MORGAN: I never sent it out there,
21 personally, to the Fort. Now did I actually take the
22 boat, like for today, let's say that I still owned the
23 company, and I had a meeting.

24 MR. TURRELL: Right.

25 MR. MORGAN: You know, I might take that boat

1 out here for, and dock it here, me, personally.

2 MR. TURRELL: Okay.

3 MR. MORGAN: I am not saying that a captain
4 ever did, to the best of my knowledge, that did not
5 happen. I mean, it was never assigned this route out
6 here.

7 MR. TURRELL: Okay.

8 MR. MORGAN: I just felt the boat was too
9 small and too unstable for this particular area.

10 MR. TURRELL: Okay.

11 MR. MORGAN: The reason for that, you get a
12 lot of, you have got a lot, that is the most open area
13 that you have in this harbor.

14 MR. TURRELL: Okay.

15 MR. MORGAN: You have got a lot of tug, you
16 know, the tug guys, even though at six knots, some of
17 these guys are coming and going, they want to get off
18 work. They have been out for a couple of days, they
19 can throw a four foot wave. Four foot wave, and you
20 got 15, 20 passengers on that boat, that is going to
21 throw wash over top of it. And that just alone, you
22 know, people getting their feet wet, possibly of a
23 lawsuit. So you wouldn't, it would be stupid for us.
24 And also it was too low.

25 MR. TURRELL: Right.

1 MR. MORGAN: If you are using it a relay boat,
2 you want your relay boat to be faster that you can get
3 and out, so that you have got a boat that you have got
4 to constantly keep on throttling down and watching what
5 you are doing, you know, where this boat is coming,
6 wait for this boat or that boat, doesn't make a lot of
7 business sense to have that boat out there. So, no, we
8 did not use that boat out there. In fact, we used the
9 larger vessels.

10 MR. TURRELL: Okay. And which, roughly what
11 size vessels have you used for that?

12 MR. MORGAN: We used Revenge, I believe the
13 Revenge, Revenge, 38, 38 feet and up. And then we even
14 found that the 38 feet, the 38 foot boats were not that
15 great either, so, that is when we went to the larger
16 boats.

17 MR. TURRELL: Okay.

18 MR. MORGAN: We only ran Fort McHenry for a
19 short period of time.

20 MR. TURRELL: Okay. Where did you tie up when
21 you ran the Fort McHenry route, where did you --

22 MR. MORGAN: Fort McHenry actually had a dock,
23 and I believe we also wanted to the bulkhead pier at
24 one time.

25 MR. TURRELL: At the fire pier at the --

1 MR. MORGAN: At the Naval Reserve Pier.

2 MR. TURRELL: The Naval Reserve Pier.

3 MR. MORGAN: Yes.

4 MR. TURRELL: Okay. How many crew members did
5 you typically run the Lady D with?

6 MR. MORGAN: If it was a windy day, then she
7 would have a mate no matter what.

8 MR. TURRELL: Okay.

9 MR. MORGAN: If it was a really nice calm day
10 and you have a very experienced captain, it would just
11 be the captain.

12 MR. TURRELL: Okay. Why the choice of pontoon
13 boats as opposed to monahaul boats?

14 MR. MORGAN: Cheaper. Personally, that is why
15 they did it.

16 MR. TURRELL: Roughly, you know, in your
17 experience, how much cheaper, is it cheaper for fuel,
18 is it cheaper for maintenance?

19 MR. MORGAN: All the way around.

20 MR. TURRELL: Okay. And the initial cost was
21 cheaper. What sort of maintenance did you have to give
22 the pontoon boat, what type of --

23 MR. MORGAN: It depends on the -- I mean, you
24 have got a captain, you have a lot of captains that
25 would hit the dock, and you were constantly having a

1 lot of repairs on the bough of the boat. Maintenance
2 wise, I mean, other than that, I mean, they are were
3 pretty, they were pretty free as far as maintenance. I
4 mean, you painted the bottom once a year.

5 MR. TURRELL: Okay.

6 MR. MORGAN: You kept up with maintenance, I
7 mean, if something went wrong, we got it fixed right
8 away. And the reason it got fixed right away was it
9 would cost us money.

10 MR. TURRELL: Right.

11 MR. MORGAN: That boat was down, and it wasn't
12 running, we weren't making any money with it.

13 MR. TURRELL: Okay. When you were operating,
14 did you have close association with other operators in
15 the area, like Ed Kane Water Taxi, did you --

16 MR. MORGAN: Yes.

17 MR. TURRELL: What type of consultations would
18 you, or business association would you have, how would
19 you describe it? Obviously, competition, but --

20 MR. MORGAN: Ed was an interesting person.
21 So, there wasn't a lot of communication as far as day
22 to day operation are concerned.

23 MR. TURRELL: Okay. When did you sell the Lady
24 D to Seaport Taxi?

25 MR. MORGAN: March of 2000.

1 MR. TURRELL: And who were you principally
2 dealing with at Seaport Taxi, when you sold?

3 MR. MORGAN: Scott, I forgot Scott's last
4 name.

5 MR. NARIZZANO: Raymond.

6 MR. MORGAN: Raymond, Scott Raymond.

7 MR. TURRELL: Okay. Okay. Were there any, this
8 is personal, was there any particular reason for the
9 sale?

10 MR. MORGAN: The money, I mean, I could get, I
11 was going to get myself completely out, be completely
12 out of debt.

13 MR. TURRELL: Okay.

14 MR. MORGAN: And we had tentative arrangement
15 just, if it ever happened, that I would also, still
16 operating the company and have my own, and have my own
17 boat in the fleet.

18 MR. TURRELL: Okay.

19 MR. MORGAN: So I had less hassles and save
20 money.

21 MR. TURRELL: Okay. And how did that work out?

22 MR. MORGAN: It did not work out.

23 MR. TURRELL: Okay. The seating arrangement on
24 the Lady D, when you first got the boat, and the
25 seating was along each rail, and sides, was that the

1 original arrangement?

2 MR. MORGAN: Yes.

3 MR. TURRELL: Is there any particular reason
4 that was sold, was that sold the way --

5 MR. MORGAN: Right, that is basically, I mean,
6 that is the way it came.

7 MR. TURRELL: Okay. Is that consistent with
8 other pontoon boats, to your knowledge?

9 MR. MORGAN: I, the smaller boats, yes,
10 smaller boats were that way. Larger boats had the
11 more, the larger boats had more, had the larger plush
12 seats.

13 MR. TURRELL: All right. But, again, along the
14 sides or porches?

15 MR. MORGAN: It varied. You would have them
16 along the sides, depending on what you were doing with
17 the vessel.

18 MR. TURRELL: Was the seating on the Lady D
19 ever changed or it was always on the side?

20 MR. MORGAN: On the sides.

21 MR. TURRELL: Sides.

22 MR. MORGAN: The seats were bolted, to the
23 best of my recollection, they were bolted right --

24 MR. TURRELL: Okay. What was your relationship
25 with the Coast Guard like at the time of your

1 operation?

2 MR. MORGAN: I had no problem with them.

3 MR. TURRELL: Okay. What, if you were to
4 characterize the largest source of 835s or problems
5 with the Coast Guard, related to what?

6 MR. MORGAN: The only 835s we got were small,
7 were for small stuff.

8 MR. TURRELL: Okay.

9 MR. MORGAN: Each inspector would have a pet
10 peeve.

11 MR. TURRELL: Okay.

12 MR. MORGAN: You know, and usually was
13 something small, it wasn't like, you know, like lights,
14 like letters on the light frame, the letters on the
15 boat had to be a certain way, I mean.

16 MR. TURRELL: Okay. And, and your, the
17 frequency of the Coast Guard inspections and so forth?

18 MR. MORGAN: It is a yearly for each vessel.

19 MR. TURRELL: Okay. So you would --

20 MR. MORGAN: Sometimes more. I mean, if you
21 had damage and you reported the damage, then they would
22 have to come out and see the damage to the boat. If
23 you changed, any change, from the beginning we changed,
24 we never contacted the Coast Guard. Then we were
25 informed later that any time, any time that you had

1 changed, you did anything, whatsoever, you had to
2 inform the Coast Guard, which we, after that we would,
3 sometimes, I mean, sometimes it would just be a phone
4 call, and they wouldn't like to come out, we would just
5 call them and say, we changed the engine, this is the
6 weight that the engine, it is either the same weight or
7 the last weight than the previous engine and they would
8 say, no problem, I will check it out when I see it or
9 whatever. Sometimes they would come out and they would
10 check it.

11 MR. TURRELL: Okay. So, do you recall, at what
12 point did that change occur, what, what prompted that
13 change, do you recall?

14 MR. MORGAN: Different inspector.

15 MR. TURRELL: Okay.

16 MR. MORGAN: I guess different inspector, you
17 know -- Some inspectors were easier than others.

18 MR. TURRELL: Okay. How about the Park Service
19 here, have you ever had arrangement with the Park
20 Service here at the Fort?

21 MR. MORGAN: We had an agreement, but that was
22 for when we were bringing the vans in. And I don't
23 remember exactly, we had to have X amount of insurance,
24 we had to pay them a fee of \$100.00 and then another
25 \$100.00 for something else. Yeah, it was basically a

1 \$200.00 fee and then they gave you the right to be able
2 to bring, you know, customers into the Fort.

3 MR. TURRELL: Okay. The City of Baltimore, any
4 arrangement with the City?

5 MR. MORGAN: We had a licensing agreement with
6 the City.

7 MR. TURRELL: And that was for?

8 MR. MORGAN: And you also had to have licenses
9 for each vessel.

10 MR. TURRELL: City license for each vessel.

11 MR. MORGAN: Just --

12 MR. TURRELL: A business license, practice
13 license.

14 MR. MORGAN: It was like a little license like
15 this size, it cost like \$80.00 and it was for each
16 vessel.

17 MR. TURRELL: Okay. Typically when you ran the
18 boats, how did you charge passengers, what was, was it
19 a daily pass or was it --

20 MR. MORGAN: It was \$4.00 for adults and \$2.00
21 for children.

22 MR. TURRELL: Okay. And what type of VHF
23 radios or UHF radios do you use in the boats when you
24 operated them?

25 MR. MORGAN: Navy.

1 MR. TURRELL: What VHF or UHF or both, what
2 type of --

3 MR. MORGAN: VHF.

4 MR. TURRELL: VHF. And did you have a house
5 channel that you used?

6 MR. MORGAN: I believe it was 72.

7 MR. TURRELL: Do you recall, how do you gather
8 weather reports or weather information when you were
9 operating and managing the fleet?

10 MR. MORGAN: Two ways. Cable, you know, cable
11 in the house.

12 MR. TURRELL: Cable television.

13 MR. MORGAN: Cable television, so we kept, you
14 know, we would look on the Weather Channel and check
15 out the radar.

16 MR. TURRELL: Okay. And the other way?

17 MR. MORGAN: Somebody, whether it was myself,
18 someone was always in charge of, you know, they are
19 checking the weather, most every other, I mean, every
20 captain checked it himself. And then also we had, we
21 had two or three weather channels on the VHF, so we
22 would constantly, constantly check.

23 MR. TURRELL: Okay.

24 MR. MORGAN: Ninety five of your storms that
25 come into the Harbor are very visible.

1 MR. TURRELL: Okay.

2 MR. MORGAN: They basically come in from the
3 one direction, they come right over top of the City. If
4 a storm is coming from another direction, you basically
5 dock.

6 MR. TURRELL: And why is that?

7 MR. MORGAN: -- just coming in, it will be
8 coming like Annapolis, or the Bay, whatever, and -- the
9 weather being very nasty, that the seas being very
10 nasty, you can --

11 MR. TURRELL: When you operated, did you have
12 a no go policy as far as which weather conditions would
13 prevent operation?

14 MR. MORGAN: Yes, sir. You got into extremely
15 high winds, then you wouldn't operate. If you had, you
16 know, if it was, you know, raining, visibility was
17 really bad, you wouldn't operate. And sometimes you,
18 sometimes you would operate in the Inner Harbor, but
19 you would not operate in the outer Harbor, because of
20 weather conditions.

21 MR. TURRELL: Okay. And this is --

22 MR. MORGAN: If you did operate, you
23 sometimes, let's say the passenger count was 20, for
24 instance, you might cut it down to 10, because of the
25 weather.

1 MR. TURRELL: Okay. Is this left up to the
2 captain?

3 MR. MORGAN: It is left up, the captain is
4 always responsible for his vessel, number one. But,
5 but, as far as Management, he would go beyond that and
6 make recommendations.

7 MR. TURRELL: Okay.

8 MR. MORGAN: I would say strong
9 recommendation. We don't want somebody out there in,
10 you know, in a bad storm, you know, 20 passengers
11 onboard.

12 MR. TURRELL: What kind of management
13 structure did you guys have when, I mean, how many
14 people were in the office and how many people in the
15 boats?

16 MR. MORGAN: We had approximately two people,
17 two people in the office. But, there was hours where
18 there was nobody, the late hours, that there would be
19 nobody in the office. But, I live where the office
20 was, so that made it, you know, where I lived, was also
21 the office, so that, you know, I was there a lot.

22 MR. TURRELL: Okay. Your employees, how would
23 you go about hiring captains for your boat?

24 MR. MORGAN: Advertise.

25 MR. TURRELL: Okay. And someone showed up,

1 then what?

2 MR. MORGAN: Make sure, depending, make sure
3 that they are licensed, the first thing you do is make
4 sure that they have a proper license.

5 MR. TURRELL: Okay.

6 MR. MORGAN: That they had taken a drug test,
7 drug test was up to date.

8 MR. TURRELL: Okay.

9 MR. MORGAN: And then we would, I would put
10 them on a boat with another captain, that would be
11 particularly good for training.

12 MR. TURRELL: And how long would that last?

13 MR. MORGAN: It depended on the experience,
14 experience, I am prejudice here, but I mean, if you
15 came from a tugboat, I would pretty much give you the
16 keys. If you said you were a sailboater, you are going
17 to be on the boat for two weeks, two weeks, you know.

18 MR. TURRELL: Okay.

19 MR. MORGAN: I am prejudice, that is just the
20 way it seems to work out.

21 MR. TURRELL: Sure.

22 MR. MORGAN: Basically, they would be on the
23 boat for two or three days, with another captain. And
24 then after that point, then I take them out, and I
25 would make sure that they -- And if not me, it would be

1 the head, it would be the head captain, whoever that
2 may be at that particular time.

3 MR. TURRELL: Okay. And what type of training
4 do you have for your employees, what, like at the
5 beginning of the season or what is the orientation?

6 MR. MORGAN: At the beginning of the season,
7 we have, we would have the Coast Guard come in and we
8 would have a session with the Coast Guard
9 representative.

10 MR. TURRELL: What would they tell you, what
11 would they train, what was the training?

12 MR. MORGAN: It was more, that was more for
13 the mates then it was for the captains.

14 MR. TURRELL: Okay.

15 MR. MORGAN: You know, they would go over man
16 overboard drill, fire, you know, fire fighting. Life
17 jacket, you know, giving the speech for the life
18 jackets, to be put on.

19 MR. TURRELL: Okay. And how long would that
20 session last? Roughly?

21 MR. MORGAN: Two, three hours.

22 MR. TURRELL: Okay. And did you ever have
23 drills of actual on the water drills, and how often?

24 MR. MORGAN: Yes.

25 MR. TURRELL: How often would you do them?

1 MR. MORGAN: You had them when you had the
2 inspection, number one.

3 MR. TURRELL: Okay.

4 MR. MORGAN: Okay. I did it with my mates on a
5 constant basis.

6 MR. TURRELL: Okay. Once a month?

7 MR. MORGAN: I wouldn't be doing it on a
8 Saturday when we were like super busy.

9 MR. TURRELL: Okay.

10 MR. MORGAN: I would do it a Monday when we
11 were slow.

12 MR. TURRELL: Okay.

13 MR. MORGAN: We would go over the man
14 overboard drills, fire fighting.

15 MR. TURRELL: Okay. Life preservers, where
16 were they stored on the boats, typically when you ran
17 them?

18 MR. MORGAN: Different places for different
19 boats.

20 MR. TURRELL: On the Lady D?

21 MR. MORGAN: The Lady D, it was right
22 underneath the, you had the seat where you sat, and
23 then you had a shelf that maybe was about a foot off
24 the, anywhere between, approximately a foot off the
25 deck, itself.

1 MR. TURRELL: Right.

2 MR. MORGAN: There is another shelf and that
3 is where the life jackets, they were very accessible.

4 MR. TURRELL: Okay. Was there anything else
5 that I haven't covered and has sparked your memory,
6 information that might tell us about the Lady D, the
7 handling characteristics or anything else that --

8 MR. MORGAN: The captain, first of all, in my
9 opinion, the boat should not have been out there that
10 day. I mean, I wasn't here, I don't know exactly what
11 happened, I didn't see the actual accident, but I did
12 read some of the reports, from some of the witnesses,
13 this was prior to the actual trip where the accident
14 took place. They said that the water was actually
15 coming up through the deck, actually not the boat,
16 actually the deck, that is telling me that the boat was
17 overweight, there was too much weight on the boat. All
18 right. And that the waters were, were not reasonable
19 for that vessel to be out there. At that point, in my
20 opinion, the captain should have radioed in and said,
21 look, this is just not working, because it is unsafe
22 for being out here. And the boat should have been taken
23 off that route.

24 MR. TURRELL: Okay. Mariette?

25 MS. BURER: Ron, what do you consider high

1 winds, for the stability of the pontoon, because you
2 were talking about --

3 MR. MORGAN: Twenty five, 25, 30 mile an hour
4 gusts.

5 MS. BURER: Okay. And then overload them, I
6 guess normally --

7 MR. MORGAN: Yeah, another point here is, the
8 boat is certified for X amount of passengers.

9 MS. BURER: Right.

10 MR. MORGAN: All right. The Coast Guard says
11 that, it is either 140 pounds or 160 pounds, I am not,
12 for -- well, 140 pounds, you know, you also have to
13 have little common sense so that if all of a sudden you
14 get, say the boat is rated for 23 passengers and a mate
15 and a captain. All right, but all of a sudden you get,
16 you know, you get 20 people that are 300 pounds, common
17 sense is going to tell you that that, you know, yeah,
18 it is per passenger, but you know that is going over,
19 that is going over most of your boats. You have got
20 keep that weight. I know Tom Morrow, who ran that boat
21 a lot for me, the last couple of years, he would cut
22 it, he sometimes would cut that boat down to half, to
23 half passengers. It is common sense. You know, he
24 might be legal by saying, okay, well, I have got X
25 amount of passengers, but, if your boat is overloaded

1 and it is unsafe to operate, you have got, you know,
2 you have got to make a decision. It is also the same
3 decision to say that if you have got 10 kids that weigh
4 20 pounds, and you have got, you know, 10 adults that
5 weigh over 200 pounds, you don't put all your, you
6 know, all your adults in the bough of the boat. Any
7 boat is going to be riding like that. I mean, you are
8 have got to adjust the weight. Again, that is the
9 captain's responsibility.

10 MS. BURER: As far as life preservers, did you
11 have children and adults?

12 MR. MORGAN: Yes.

13 MS. BURER: Okay. And what did you do as far
14 as the children's life preservers, how many did you
15 have on the Lady D, do you recall?

16 MR. MORGAN: It was always a lot more than, I
17 think it is suppose to have 20 percent, I forgot the
18 exact, but we were always, we always had a lot more.

19 MS. BURER: Okay.

20 MR. MORGAN: And again that was discussed
21 between the Coast Guard and myself, how many, you know,
22 what they should have. In other words, if you are in
23 an operation where you have got a lot of kids, you have
24 got to have, I knew that at times we had extra life
25 preservers and there was times where we transported a

1 lot of kids, we would actually have to take actual life
2 preservers and put on these boats to make sure that
3 they had sufficient number of life jackets for the
4 children.

5 MS. BURER: Did you guys ever have any
6 relationships with the fire boat or the police or Naval
7 Reserve, on a regular basis or is it just the Coast
8 Guard that you guys dealt with?

9 MR. MORGAN: It was just the Coast Guard as
10 far as the inspecting and safety issues.

11 MS. BURER: Just a relationship in case
12 anything happens, then, hey, maybe we should get
13 together with these guys who, what their protocols are,
14 what your crisis management plan basically?

15 MR. MORGAN: In the beginning, in the
16 beginning we had a very good relationship with the
17 police, but, then that, some of our captains were
18 actually police officers. And also in the beginning we
19 even had a better relationship with the Coast Guard,
20 because some of our captains were actually in the Coast
21 Guard. And then they decided that was, what is the word
22 I am looking for?

23 MR. TURRELL: Conflict.

24 MR. MORGAN: Conflict of interest. Thank you.
25 The conflict of interest and so, they, we could not

1 hire police officers or the Coast Guard anymore, which
2 is really a big mistake, because, you know, they were,
3 because it just made relationships so much better, and
4 they were so much better qualified, a lot of the
5 captains.

6 MS. BURER: Okay.

7 MR. MORGAN: I mean, a lot of captains,
8 recently, I was getting at the end, I -- I mean, I am
9 not, I am not trying to blame on the Coast Guard, but I
10 remember when I got my license, I really had to do, you
11 know, I mean, I worked under a captain, on a commercial
12 vessel for X amount of days. You don't have to do that
13 anymore, you know, you can say, oh, yeah, I have got a
14 bay liner I have been operating and you can sign for
15 yourself, from what I understand.

16 MS. BURER: So, If you felt that the captains
17 as of late were not quite as qualified as to the way
18 they were prior in earlier days, how did you come to
19 say for the, for your company --

20 MR. MORGAN: You didn't hire them.

21 MS. BURER: Okay.

22 MR. MORGAN: You know, you didn't hire them or
23 they, or you would just have a lot more training into
24 that captain. I also had some mates that were more
25 qualified than the captains operating the boats. So if

1 I had a weak captain, that wasn't as good as, he was
2 good enough to operate the vessel, but not, I would
3 also, sometimes I would put my best mate with my, who I
4 would think my worse captain was, to try to equal out.

5 So, if there was a scenario where I thought that this
6 captain under a stress situation would not, you know,
7 might not handle it well, I know that the mate would
8 handle it well. So, between the two, you had a good
9 team.

10 MS. BURER: For the applicants, did you have,
11 did they have to fill out any kind of medical papers?

12 MR. MORGAN: Well, that was, for the Coast
13 Guard licensing you have to have, you have to have a
14 medical. The only thing we did as far as medical wise,
15 was to support the drug testing.

16 MS. BURER: Did you do any random drug testing
17 during your period?

18 MR. MORGAN: Yes.

19 MS. BURER: Okay. I think that is it for me.

20 MR. TURRELL: Kevin?

21 MR. JOHNSTONE: Ron, you mentioned how you
22 went about getting weather information to make a
23 decision, and if I understood you correctly, for the
24 Lady D, typically if it was over 30, 25, 30 miles an
25 hour, you wouldn't use it or --

1 MR. MORGAN: It might be used, let's say it
2 was on, for instance, it was out, running between
3 Dendecko and Fells Point as a relay boat, well, first
4 of all, you are running, you are only running like four
5 or five feet away from the deck. That is number one
6 issue here. Okay. So, if you have a problem, you are
7 right there at the dock. I mean that is how close we
8 would run. If you are over here, you are not, you are
9 in a different situation, you have got to cross, you
10 know, a larger piece of water. If the winds got really
11 bad, either the boat was taken off that run, passenger,
12 passenger count might go down, you switch boats, you
13 can switch boats around. You know, you take her off,
14 if you go in the Inner Harbor it can be nice and calm
15 in the Inner Harbor between the Aquarian and
16 Constellation Dock, but, out here it would be horrible.
17 So, you are going to switch boats around. Or you just
18 take them off completely.

19 MR. JOHNSTONE: Okay. NOAA Weather Service,
20 we issue the small craft advisories for, for winds that
21 would cover that threshold, were they ever used in your
22 decision making process or --

23 MR. MORGAN: I went by, I would check the
24 weather days beforehand, I mean, I was, you have to
25 remember you are in a business where weather, there are

1 dollars and cents going by weather. You know, you also
2 have to know how many, if you have got a bad weather
3 day, you are not going to have any, I mean, if it is
4 suppose to be raining, we would still operate during
5 the rain, but then we would be operating only one
6 vessel. So you are constantly looking at the weather
7 because you have got to figure out who you have got
8 scheduled, you are not going to schedule. So, weather
9 was an issue.

10 MR. JOHNSTONE: Okay.

11 MR. MORGAN: But, we would look at the, I
12 mean, we went by, I looked at radar. I mean, I watched
13 that radar. When I was in the office, and, for
14 instance, I mean, two days from, you know, today, they
15 are calling for rain on, I think this weekend Friday
16 and Saturday, all right. And I am already that I have
17 got, and I have got a rain issue coming up. And I may
18 even have a wind issue coming up. So, now I am already
19 pre warned. Right. And then I would, and then I would
20 just, as that day got closer or whatever, or during
21 that day, you would have, either the, from TV or from
22 VHF, you would get more warnings, and then you deal
23 with it. And then you had your visibility, yourself.
24 I mean, telling you, that day, where that storm come
25 from, or that captain was, there is no way he could not

1 see that that, he had a weather front coming.

2 MR. JOHNSTONE: And then the typical procedure
3 then for something like --

4 MR. MORGAN: Shut down.

5 MR. JOHNSTONE: Shut down.

6 MR. MORGAN: Shut down until the weather got
7 better.

8 MR. JOHNSTONE: Okay.

9 MR. MORGAN: He had lighting, shut, you know,
10 shut down. And when you are shutting down, that doesn't
11 mean you shutting down for the whole day. I mean, you
12 could be shutting down for 10 or 15 minutes. Like, I
13 think the Water Taxi that particular day, they shut
14 down, they didn't shut down for the whole day. They
15 shut down for a short period of time.

16 MR. JOHNSTONE: Okay. That is all the
17 questions I have.

18 MR. TURRELL: Ed?

19 MR. NARIZZANO: I don't have any questions.

20 MR. TURRELL: Go ahead.

21 MR. HYLIND: This is Mark Hyland. Ron, you
22 mentioned when you started talking that the Lady D was
23 bough heavy, describe what you mean and what would
24 cause that to happen?

25 MR. MORGAN: -- I mean, the boat, itself,

1 because of the cabin, the cabin was longer on the boat.

2 So, if you had, you had to use common sense that, you
3 know, in fact, I think at one time we even actually, we
4 actually put an area where we said people couldn't sit
5 there because we didn't want that weight to be that
6 much more.

7 MR. HYLIND: Well, you said --

8 MR. MORGAN: The captain, you know, the way it
9 was, you had the captain sitting right in the back, and
10 then you had your row of seats that went on the other
11 side, from the captain --

12 (Change of tape.)

13 MR. TURRELL: Okay. Ron, you were just saying
14 on the captain back is where you wanted people to sit.

15 MR. MORGAN: Yes, that worked.

16 MR. TURRELL: Okay.

17 MR. MORGAN: You don't have a diagram of the
18 boat, here, do we?

19 MR. TURRELL: You can draw on the chalkboard.

20 (Pause.)

21 MR. MORGAN: I am not an artist here, so.

22 MR. TURRELL: That is okay, neither are we.

23 (Pause.)

24 MR. MORGAN: All right. The seats, here is
25 your captain and you have your console here, and your

1 captain is sitting here. Then you have seats going
2 back like that. Then on the other side, you have the
3 seats going like that. All right. You know what I am
4 saying?

5 MR. TURRELL: Yes.

6 MR. MORGAN: All right. In other words, if you
7 didn't have that extra, you know, you didn't have, in
8 other words, you didn't want to have like or two or
9 three heavy people sitting right there. Because that
10 was going to make your boat bough heavy, right. And
11 then you had, your sliding glass doors here, and then
12 you had steps, all right. We had, when we had the
13 boat, the steps were lighter than what the steps were
14 when I saw it last, when the Living Classroom, the
15 Living Classroom had modified the steps and made them
16 heavier. How much heavier they made them, I don't
17 know, but they were heavier. You want to try and keep
18 as much weight off of the bough as possible.

19 MR. HYLIND: Well, you did use the word
20 modification when you first started answering, so you
21 are saying that the modification that you know of is
22 that the steps on the front of the bough seemed to be
23 heavier than when you --

24 MR. MORGAN: They put, they put plates, they
25 put stainless steel plates on both sides of the, the,

1 of the steps.

2 MR. HYLIND: But, do you have any idea how
3 much weight that would involve?

4 MR. MORGAN: I have no idea.

5 MR. HYLIND: Okay. When you said when you were
6 operating it was bough heavy, so, that was prior to
7 them adding this weight, so --

8 MR. MORGAN: And they also, they also added
9 the KC engine, they changed the engine in the boat
10 which would actually increase the weight of the vessel,
11 because the four stroke, you know, 50 horsepower and 90
12 horsepower and especially, you know, the Honda, which
13 probably weighs maybe excess of about 100 to 150 pounds
14 more than the engines that we had on that boat.

15 MR. HYLIND: Well, let's stick to the --

16 MR. MORGAN: Again, I am not sure of the exact
17 weight, it could end up being 10 pounds, but, I mean.

18 MR. HYLIND: Okay. So, it had a personality
19 that it was bough heavy when you were operating it.
20 The boat was sister ship to another vessel.

21 MR. MORGAN: The Raven.

22 MR. HYLIND: The Raven. And were you the
23 owner of the Raven?

24 MR. MORGAN: I was.

25 MR. HYLIND: Okay. And that vessel as far as

1 you know was sister ship to another vessel.

2 MR. MORGAN: At that time I didn't know, to be
3 honest with you, I didn't know that until this all came
4 about, how that all, you know, actually I didn't even
5 know more about how he got, how he got that sister ship
6 than I did.

7 MR. HYLIND: Okay. Tell me, what does sister
8 ships means to you?

9 MR. MORGAN: Sister ship, you have got, I will
10 tell you at the very beginning, because they actually
11 sister ship, in the very beginning they didn't know
12 what to do with pontoon boats. And there was only,
13 when I first, when the Seaway and, when I first got the
14 Seaway, Seaway was our first certified pontoon boat.
15 And they, the Coast Guard at that time, I was in Ocean
16 City, and the Coast Guard did not know, you know, I
17 didn't know, any person knew absolutely nothing about
18 getting, you know, getting a boat certified or
19 stability test or anything. The Coast Guard got, said
20 we had to have a stability test on these, but I think
21 we can sister this ship off this other boat called the
22 Blue Heron. Well, that is great, you know, but, if you
23 all have to do a stability test in your opinion, yes,
24 and it is like saying, where do I get all these prints
25 and where do I with weight or whatever. And he said,

1 it was sister ship off of the Blue Heron. Looking back
2 I guess, 19, late '70, early '80s. And I think the
3 Blue Heron was the first whatever certified in the
4 area, Seaway was the second one ever certified in the
5 area. Sister ships, you know, everything had to be
6 identical. So, in other words, say, from Santee that
7 you had to talking about had Product A and Product A,
8 if you brought, you know, if that was had stability
9 testing you brought that same product than you could
10 sister that off and you personally did not have to do a
11 stability test because the manufacturer already did a
12 stability test.

13 MR. HYLIND: Okay.

14 MR. MORGAN: If you modified the vessel in any
15 way from what the manufacturer has built, then the
16 Coast Guard has to come out and make a decision whether
17 that vessel should have the many passengers for the
18 type of passenger's bathroom, whatever. So, if you
19 get, it comes from the manufacturer, and it does, and
20 we are getting certified with a 75 horsepower Mercury,
21 and you put a 1,000 point, you know, -- horsepower, you
22 know, on it, and it weighs 300 pounds more, well, you
23 have got a different weight scenario here, so that is
24 going, that is going to make the stability of that
25 vessel different.

1 MR. HYLIND: Okay. A sister ship is indeed,
2 for lack of better term, a xerox copy of a prior
3 vessel.

4 MR. MORGAN: Absolutely.

5 MR. HYLIND: Okay. So, this ship was sister
6 ship off the Raven, which was another vessel operating
7 and inspected in Baltimore Harbor, correct?

8 MR. MORGAN: It is, you would have to ask Ed,
9 if you remember I always let the owner/operator take
10 care of that.

11 MR. HYLIND: Okay. When you, when you had your
12 boats approved by the Coast Guard, they didn't do a
13 stability because it was indeed sister shipped to
14 another vessel, correct?

15 MR. MORGAN: Correct.

16 MR. HYLIND: Did you, do you remember what the
17 power package was on the vessel when it went into
18 operation for the first inspection?

19 MR. MORGAN: No, it was a two stroke engine
20 and I am pretty sure it was a 75 horsepower, 75
21 horsepower. And it wasn't, it wasn't a Mercury, but it
22 was --

23 MR. HYLIND: Was it a Force?

24 MR. MORGAN: That is it, yeah.

25 MR. HYLIND: Okay. Was --

1 MR. MORGAN: Which was owned by Mercury, it
2 was just taken over by Mercury.

3 MR. HYLIND: Do you recall how many gallons
4 the fuel tank would hold, full, do you recall that kind
5 of detail?

6 MR. MORGAN: I don't remember whether we had
7 one tank on there or two tanks on there. You know,
8 because we had different tanks in different capacities,
9 I can't remember exactly.

10 MR. HYLIND: Okay.

11 MR. MORGAN: And I don't recall from the
12 manufacturer --

13 MR. HYLIND: Do you remember the placement of
14 the fuel tank on it?

15 MR. MORGAN: No. I mean -- I can't remember.

16 MR. HYLIND: Would you say --

17 MR. MORGAN: I remember where one of them had
18 where you had it actually on the very end of the
19 pontoon where --

20 MR. HYLIND: Right, I am trying to focus on
21 the Lady D. I know that there was a large variety of
22 answers to this for the rest of the fleet. Do you
23 remember whether or not that vessel actually had
24 windows on it when you put into service the first time
25 around?

1 MR. MORGAN: Yes.

2 MR. HYLIND: It did have windows.

3 MR. MORGAN: Yes.

4 MR. HYLIND: And do you recall what kind of
5 windows they were? Were they glass or plexi glass?

6 MR. MORGAN: They were glass, safety glass.

7 MR. HYLIND: Okay. And --

8 MR. MORGAN: But, I can't recall whether the
9 Raven had windows, but, I think the, I can't, I think
10 the Raven, though, might have had plexi glass windows.

11 MR. HYLIND: Okay.

12 MR. MORGAN: Again, I can't be sure. For the
13 original, we had plexi glass windows and then they
14 switched, switched to the regular windows.

15 MR. HYLIND: I am sorry, you said originally
16 there were plexi glass windows?

17 MR. MORGAN: No, not in the vessel, in your
18 earlier vessels when they came from Santee, Santee did
19 not make any of those vessels. I was the one that came
20 up with the design for those vessels, you know,
21 enclosed vessels. I mean, I didn't give them actual
22 specs with the top or whatever, but I wanted an
23 enclosed vessel, all right. And the original ones had
24 plexi glass windows. And then they changed it later,
25 the manufacturer changed to the regular window.

1 MR. HYLIND: What manufacturer, because it
2 was --

3 MR. MORGAN: Santee.

4 MR. HYLIND: Okay. So, the Lady D, just on the
5 history of the Lady D, did the Lady D come out of the
6 shop with a window system on it?

7 MR. MORGAN: Yes.

8 MR. HYLIND: It did. And you believe that
9 window system was plexi glass not glass.

10 MR. MORGAN: No, it was glass when it came
11 out.

12 MR. HYLIND: It was glass and then did it
13 become plexi glass later in your understanding?

14 MR. MORGAN: You know, I can't, you know what,
15 I am confused. I can't recall, I mean, whatever the
16 way the vessel, when we sold the vessel that is the way
17 it was, that is the way it came from the manufacturer.

18 MR. HYLIND: Okay. I don't know the
19 particulars of that.

20 MR. MORGAN: I am pretty sure it, I mean, you
21 know, 98 percent sure that it was glass, when I sold it
22 was glass.

23 MR. HYLIND: Okay.

24 MR. MORGAN: And it came from that
25 manufacturer it was glass.

1 MR. HYLIND: Okay. But, yet, but, if, because
2 it was a sister shipped and it had to be a carbon copy,
3 if there were no windows in --

4 MR. MORGAN: The Raven?

5 MR. HYLIND: -- the ship that it was sister
6 ship to, then it couldn't have been a sister ship or
7 those glasses had to be, that window had to be put into
8 the vessel after it was delivered to the Harbor.

9 MR. MORGAN: The boat came exactly the way it
10 was.

11 MR. HYLIND: Okay.

12 MR. MORGAN: So that I do know.

13 MR. HYLIND: All right, let me move on.

14 You said that when you --

15 MR. MORGAN: You are correct, though, if the
16 Raven didn't have, you know, and I don't, I never
17 thought about that, if the Raven had plexi glass
18 windows and this had solid windows, then a new
19 stability test should have been taken on that vessel,
20 yes.

21 MR. HYLIND: And who would have been
22 responsible for that when the boat, say the boat
23 arrived with glass windows and the Raven had plexi
24 glass, who would have been responsible for determining
25 whether or not there should have been a new stability

1 done on that vessel at that time?

2 MR. MORGAN: Three people. Manufacturer,
3 myself, and the Coast Guard.

4 MR. HYLIND: Okay. Let's talk about the power
5 package. You said from time to time you believed that
6 there was a 75 horsepower engine on the back on it when
7 it was delivered and put into original service.

8 MR. MORGAN: I am pretty sure that it was a 75
9 horsepower.

10 MR. HYLIND: And you mentioned that there, if
11 the engines were ever changed out, if engines were ever
12 changed out, the engines that you would use would be of
13 equal power or less. I think that is what you said. I
14 might be paraphrasing it, but, is that true?

15 MR. MORGAN: Well, the power, the power, I
16 mean, we put I think like a 38 horsepower diesel in it
17 at one time, too.

18 MR. HYLIND: And did you get approval --

19 MR. MORGAN: Yeah, we would get it approved.
20 We would call the Coast Guard and get, you know, we
21 would get it approved.

22 MR. HYLIND: Do you know if the Coast Guard
23 would keep records of some type?

24 MR. MORGAN: No, I don't.

25 MR. HYLIND: Is it your responsibility --

1 MR. MORGAN: But, they, it was my
2 responsibility to contact the Coast Guard to let them
3 know that we are modifying or changing an engine or
4 whatever, yes.

5 MR. HYLIND: Okay. And with those changes that
6 you did, it sounds like we have gone from the range of
7 75 horsepower down to as low as 38 horsepower engine.

8 MR. MORGAN: Diesel has different --

9 MR. HYLIND: Different weight.

10 MR. MORGAN: It is easier, you know, it is,
11 yeah, basically what you want for these boats is
12 stopping power.

13 MR. HYLIND: All right. But, I am concerned
14 about the weight, and just the process, itself, the
15 process is that you would contact the Coast Guard. The
16 Coast Guard would a decision whether or not they needed
17 to do a new stability test and they never offered or
18 requested or required to have one done, is that right?

19 MR. MORGAN: Correct.

20 MR. HYLIND: After you notified them of
21 certain changes.

22 MR. MORGAN: Correct.

23 MR. HYLIND: What would happen to the boat, in
24 your experience, that if you went from a 250 pound
25 engine, whatever that imaginary engine is, and you went

1 to an engine that was 150 pound, what would happen to
2 the stability of that vessel?

3 MR. MORGAN: It would change.

4 MR. HYLIND: It would change. And that would,
5 that change then would also happen on the reverse,
6 where you would go from a possible engine of 150 pound
7 to a higher weight engine or a 75 horsepower engine to
8 a 90 horsepower engine. That would, that would also
9 change the dynamics and stability of that vessel,
10 right?

11 MR. MORGAN: Correct.

12 MR. HYLIND: In your experience when you are
13 out driving a vessel --

14 MR. MORGAN: Just let me interrupt you.

15 MR. HYLIND: Yeah, sure.

16 MR. MORGAN: I remember a few times where we
17 actually sent the specs of the engine into the Coast
18 Guard. So, I mean, they should have some documentation
19 as far as the specs. And I remember that, I mean, our
20 weight would be like right on, I mean, it wouldn't vary
21 hardly any at all.

22 MR. HYLIND: There was a mate here that
23 explained that during the day of the incident, the
24 captain was operating the vessel at a speed and I am
25 not sure if I quote him correctly, that exceeded six

1 knots in order to get out of the wind. And the bough
2 was taking, was going down --

3 MR. MORGAN: Taking water on.

4 MR. HYLIND: -- taking on water.

5 MR. MORGAN: That is exactly what I explained
6 to you earlier.

7 MR. HYLIND: Okay. In your opinion, was the
8 the correct way to operate that vessel with the wind
9 behind you?

10 MR. MORGAN: The wind is behind me. And he
11 exceeding the speed limit. I am going to, first of
12 all, I wouldn't have the boat out there, first thing.
13 So, to answer your question, no, that is not the
14 correct way to operate.

15 MR. HYLIND: Would the, the operation of the
16 boat, you said the Lady D would point into the wind,
17 would it point into the wind with a 75 horsepower
18 engine?

19 MR. MORGAN: Yeah.

20 MR. HYLIND: With a full load, full passenger
21 load, full fuel load?

22 MR. MORGAN: That is why he had it in the
23 wind, I mean, all you had to do with begin with --

24 MR. HYLIND: Well --

25 MR. MORGAN: Turn, I mean, I wasn't there, I

1 don't know if his engine stalled, I have no idea what,
2 I mean, he experienced.

3 MR. HYLIND: I am sorry, let me pull you out
4 of the incident. In general, in general, was the
5 vessel capable of safe operation in the Harbor with the
6 power package that it was assigned?

7 MR. MORGAN: Yes.

8 MR. HYLIND: Okay. And when the Coast Guard
9 gives you a certificate to operate, does the Coast
10 Guard restrict its usage in any way on that
11 certificate, where it can be used, the amount of, the
12 height of the seas? Do you recall what those
13 restrictions could be for the Lady D?

14 MR. MORGAN: Actually I can, I have it right
15 here.

16 (Pause.)

17 MR. MORGAN: This is the last change that was
18 made to her, to her was in 21 of May 1999. I had, I did
19 not do this actually, it was the head captain who had,
20 who had the inspection at that time, Lance Watts the
21 head captain. And the route said, Paptasco River from
22 Codeckco Wharf and then it got like an arrow going to
23 Lotus Point, to the Inner Harbor and not more than
24 1,000 feet from shore under reasonable operating
25 conditions. There is your key right there, under

1 reasonable operating conditions.

2 MR. HYLIND: Okay. Just a couple more
3 questions, sorry.

4 MR. MORGAN: I want --

5 MR. HYLIND: Getting back to the dynamics of
6 the vessel. You showed on the board that you would
7 actually restrict passengers from sitting up close to
8 the captain because of the configuration of the boat,
9 and the way it would operate in the water. Would you
10 say that that restriction or that your suggested
11 restriction was followed by all of your captains when
12 you owned the Harbor Shuttle?

13 MR. MORGAN: I can't speak for everyone, but,
14 I am can speak, I know for myself, for Tom Morrow and,
15 and common sense, too. In other words, it is like if
16 there was a child sitting in that, somebody let a child
17 sit there, then there wouldn't, in other words, what I
18 am trying to explain is that you have to use common
19 sense, you are not going to have all heavy people up
20 here and all light people back here. I mean, it is the
21 type of situation, too, when you have somebody that is
22 a little, that is overweight and you have say, I am
23 sorry, you can't sit there because you are overweight,
24 so you would have to, you know, you have to use
25 some --

1 MR. TURRELL: Diplomacy.

2 MR. MORGAN: That is a good word.

3 MR. HYLIND: How many years did you operate in
4 the Harbor, just roughly?

5 MR. MORGAN: 1980 until, 1980 until I sold the
6 company.

7 MR. HYLIND: And are pontoon boats in your
8 opinion stable?

9 MR. MORGAN: Absolutely.

10 MR. HYLIND: Is there, is there anything that
11 you would --

12 MR. MORGAN: I would call the four man shot,
13 that is what I like about them. I mean, you could
14 make, when you put a new set of carpet on it and it
15 makes it look like brand new boat again. I mean, they
16 were perfect operations for the Inner Harbor area. I
17 mean, they are square, I mean, so, you could bough up
18 against the dock, if you are unloading, unloading
19 passengers.

20 MR. HYLIND: Would you call them the ideal
21 vessel in order to move passengers in the Harbor?

22 MR. MORGAN: Yeah, I, for the most part, Fort
23 McHenry being an exception.

24 MR. HYLIND: Okay. Thank you very much. That
25 is all my questions.

1 MR. TURRELL: Andy?

2 MR. MURRAY: I have no questions.

3 MR. TURRELL: Scott?

4 LIEUTENANT BARANOWSKI: Yes. What type of
5 maintenance did you have on your vessel?

6 MR. MORGAN: Constant.

7 LIEUTENANT BARANOWSKI: Examples?

8 MR. MORGAN: If you had a sheet, we had a
9 maintenance sheet that was given to the captain every
10 day. And it was marked off the maintenance sheet, if
11 something needed to be done, it was done. We couldn't
12 afford the boat be down.

13 LIEUTENANT BARANOWSKI: Any quarterly or
14 yearly things you changed in the vessels?

15 MR. MORGAN: They were constantly maintained.

16 So, it wasn't like a, oh, it is June 1 now, we have to
17 do this or do that, no, it was a constant, the boats
18 were just constantly maintained.

19 LIEUTENANT BARANOWSKI: Okay.

20 MR. MORGAN: And like I said, you had a
21 maintenance sheet, it was the responsibility of the
22 captain to fill out that, you know, fill out that
23 maintenance sheet prior to him leaving the dock. You
24 know, he would go over, if there was an inspection, he
25 would do an inspection, safety check and so forth. If

1 there was something that wasn't right, whatever, then
2 he would, we had a maintenance, we had two full time
3 maintenance people, and a mechanic on 24 hour notice.
4 So, if anything was wrong, the captain would tell us,
5 boom, it was taken care of. If the captain didn't tell
6 us, then it wasn't taken care of.

7 LIEUTENANT BARANOWSKI: You had mentioned that
8 you lived in the same area where your office was at.

9 MR. MORGAN: That is correct.

10 LIEUTENANT BARANOWSKI: Any times that you
11 remember -- on the waterway or something, or --

12 MR. MORGAN: First of all, I wouldn't, I never
13 tell another, I mean, captain is in charge of his own
14 vessel. I don't know what is happening in, you know,
15 if I am over here, okay, and he is over here, he knows
16 the situation a lot better than I do somewhere else.
17 What I would do is inform him of what, of the
18 information that I would know, he would, I would say,
19 hey, look, I am looking at the radar and you might not
20 see it right now because you have a clear sky or
21 whatever, and I would say, look, I am looking at the
22 radar, and you know, you have got a heavy storm coming
23 from Frederick. You know, come on guys let's, you
24 know, you know, keep on checking your weather and that
25 is how we would do it. Or I would say, hey, I mean,

1 pretty much you can know from Frederick, you know, that
2 the storm was going hit town 15 minutes and you would
3 say, you know, say, look, let's make sure we have got
4 our stuff down in 15 minutes when this storm blows in.
5 That is how we would operate.

6 LIEUTENANT BARANOWSKI: Did you have
7 confidence with your captains about doing that or --

8 MR. MORGAN: I had confidence with my
9 captains. I always made, the captain was always,
10 always in charge. You know, I would tell captains, I
11 mean, I told a captain, you know, if a captain came in
12 and took a boat out, and he came back to me and he
13 said, this boat is unsafe for operating. Then, and
14 even if I thought the boat was safe to operate, that
15 boat did not operate. Because that that was that
16 captain's decision and nothing ever happened to a
17 captain if he did that. And I was told them right from
18 very beginning, I said, you are in charge of your
19 vessel, make sure it is safe. That was the main issue,
20 was safety, you know. And I told them, and the other
21 thing was, you know, take it slow and easy, driving
22 them fast and hard, you know, you make a mistake, and
23 it is slow, I said, you know, you are not going to do
24 as much damage if you are doing it when you are doing
25 it fast.

1 LIEUTENANT BARANOWSKI: So if you had a
2 captain that said, the vessel was safe --

3 MR. MORGAN: It went out of commission. It
4 came out and then we took care of whatever problem he
5 thought it might be.

6 LIEUTENANT BARANOWSKI: You had someone look
7 at it, one of the maintenance individuals or yourself
8 or --

9 MR. MORGAN: You know, myself, if he said, you
10 know, if he said I can't operate this boat until the
11 steering, the steering is too hard for me to handle,
12 whatever, you know, he would come off the vessel and I
13 would get on the vessel and I would say, okay, what it
14 is okay for me, I might handle it, okay. Or, you know,
15 or the maintenance crew or the mechanic came out and
16 fixed it. The boat did not operate, if the captain
17 thought the boat, did not operate or I might, you know,
18 I might take the boat over and I thought it was
19 perfectly safe when I got it. My skill level might be
20 different than his skill level.

21 LIEUTENANT BARANOWSKI: I just want to clarify
22 about your reasoning for not having -- You didn't
23 require, I guess when you were operating the vessels,
24 you, for the most part you didn't allow, at least have
25 the people board that area, but you didn't require your

1 captains, you let them do what they wanted to --

2 MR. MORGAN: I mean -- and let's say, and we
3 had a sign on the back and it said reversed for mate,
4 and that is exactly how we handled it.

5 LIEUTENANT BARANOWSKI: You mean the spot --

6 MR. MORGAN: That spot.

7 LIEUTENANT BARANOWSKI: And most captains
8 agreed to that or --

9 MR. MORGAN: Well, I mean, when I am on the
10 vessel, yes. It was, I never saw passengers in there,
11 I mean, the mate would sit there, the mate might sit
12 there. But, then you are talking, you know, that was
13 three, that was basically three seats for that mate to
14 sit.

15 LIEUTENANT BARANOWSKI: Okay. That is all the
16 questions I have.

17 MR. TURRELL: Okay. Mariette?

18 MS. BURER: I don't have any questions?

19 MR. TURRELL: Kevin?

20 MR. JOHNSTONE: Just one for clarification
21 purposes, for my mind, Ron. You said the pontoon boats
22 are very stable for this area. And again, I think the
23 Coast Guard restriction there stated that under
24 reasonable conditions, so reasonable conditions then
25 being, you know, winds less than 30 knots.

1 MR. MORGAN: Yes.

2 MR. JOHNSTONE: Okay. So anything more than
3 that, it would be --

4 MR. MORGAN: After 30 knots, you are pushing
5 it, I mean, you know, I mean, 30 knots is definitely
6 pushing it.

7 MR. JOHNSTONE: So, anything above 30, so if
8 you have got --

9 MR. MORGAN: Let me tell you something, those
10 larger boats could take a 30 knot wind with no problem
11 whatsoever. Okay. But, still, it is still going to
12 have, as far as operating the boat, you are not going
13 to flip, you could put some of this boat broadside
14 against a 60 mile an hour wind and it ain't going to
15 flip those bigger boats.

16 MR. JOHNSTONE: All right.

17 MR. MORGAN: But, still, it is not reasonable
18 condition as far as docking the boat, because all of a
19 sudden you have got big, you know, remember we were,
20 put that boat up against a bough, and suddenly a gust
21 of wind hits, and boom, it knocks that boat this way or
22 that way, and somebody is getting off of the boat, you
23 know, then you got a lawsuit.

24 MR. JOHNSTONE: So, if you got a forecast of
25 more than 30 knots, then it wouldn't --

1 MR. MORGAN: It wouldn't operate.

2 MR. JOHNSTONE: You wouldn't be using the
3 boat. Thanks.

4 MR. MORGAN: Now, I didn't think the weather
5 had anything, I mean, those storms happen very, it
6 wasn't not a freak storm in my opinion. Those storms
7 like that happen all the time in this Harbor.

8 MR. TURRELL: All right.

9 MR. HYLIND: Two more follow ups, I think.
10 The vessel that did flip has two tanks on the stern,
11 one tank that appears to be somewhat offset to the
12 center, and another gas tank on the right pontoon, what
13 do you think that would do to the vessel in terms of
14 its stability when fully loaded.

15 MR. MORGAN: I would have to see a picture of
16 exactly what you are talking about, and what is the
17 capacity of the tanks. If I could see, you know, that
18 would like get my memory back so I could see exactly
19 what you are talking about.

20 MR. TURRELL: You --

21 MR. HYLIND: Well, from my, from my notes and
22 my knowledge base, which I hope is correct, the Raven
23 had a center fuel tank, and this ship, was sister ship
24 to it, which would mean that originally the fuel tank
25 was centered. Today, there are two fuel tanks on it,

1 one is on the starboard pontoon, and one is a little
2 bit off to the center. Did you add any --

3 MR. MORGAN: no.

4 MR. HYLIND: -- fuel tanks to that vessel
5 under your initiative?

6 MR. MORGAN: No.

7 MR. HYLIND: Did you make any alterations at
8 all to that vessel?

9 MR. MORGAN: Other than painting it?

10 MR. HYLIND: One that would affect its
11 stability. Did you ever change out the flooring of the
12 vessel? Did you ever remove the cabin of the vessel?

13 MR. MORGAN: No.

14 MR. HYLIND: Did you ever remove any --

15 MR. MORGAN: On this vessel or other vessel,
16 we did.

17 MR. HYLIND: Did you ever install windows in
18 the Lady D?

19 MR. MORGAN: No.

20 MR. HYLIND: Did you ever take out windows in
21 the Lady D?

22 MR. MORGAN: That we might have done.

23 MR. HYLIND: Okay. How so, what is your
24 possible recollection on that?

25 MR. MORGAN: No, not on the Lady D, it on the

1 Patricia, the other vessel, but not on the Lady D.

2 MR. HYLIND: Did you remove any of the seating
3 at all on the Lady D?

4 MR. MORGAN: No.

5 MR. HYLIND: Did you, when you had your first
6 inspection, did you have onboard the bough steps
7 necessary for load and unload passengers?

8 MR. MORGAN: Yes. That boat pretty much came
9 equipped from the factory. Other than life jackets,
10 life jackets, they didn't come with it. The life
11 jackets and basic safety, that came, you know, that
12 came right from the factory.

13 MR. HYLIND: Okay.

14 MR. MORGAN: They even put the, all the
15 engine, everything was done at the factory.

16 MR. HYLIND: That is your best recollection?

17 MR. MORGAN: Almost 99.9.

18 MR. HYLIND: Okay. I don't have any other
19 questions.

20 MR. TURRELL: Okay. Okay. Ron, thanks very
21 much. Do you have anything to add to this?

22 MR. MORGAN: Yeah, I, yeah, I have a question,
23 I have, I don't know if I talked to you or whatever,
24 but, you know, I mean, I took pictures of all the other
25 boats that, almost every boat that was damaged --

1 MR. TURRELL: Just before you get into that,
2 as far as, we can answer your question off the record,
3 but, as far --

4 MR. MORGAN: You can go off the record.

5 MR. TURRELL: Okay. So, just acknowledge this
6 is being recorded, and we will end the interview.

7 MR. MORGAN: Okay.

8 MR. TURRELL: Okay. This is recorded and this
9 ends this interview.

10 (Whereupon, the interview was concluded.)